

REMARKS

Reconsideration and allowance are respectfully requested. Upon entry of this amendment, claims 1-68 will remain pending.

Applicant thanks the Examiner for the telephonic interview held on October 2, 2002, which was also attended by the inventor, Dr. Ganapathi. During the interview, the independent claims were discussed in light of the references, and the Examiner agreed that the references of record do not teach or suggest the claimed inventions, as none of references teach or suggest an apparatus or method that use various layers as recited and in which a resistance will change upon the application of pressure.

Claim 46 has been amended to refer to the method step, rather than the method, and as such applicant submits that the objection to claim 46 has been overcome.

Claim 41 has also been amended for readability, but this amendment is not believed to further limit the claim in a manner that creates an estoppel pursuant to the recent Festo decision.

Claims 1-61 stand rejected under 35 USC 103 as being obvious over Gurney '377 in view of Chen and Terahiko. Applicant respectfully disagrees.

For the reasons set forth in the previous amendment, as well as set forth above, applicant respectfully submits that the claims contain patentable subject matter. Further, the newly cited references to Chen and Terahiko do not add any pertinent teachings, as neither of these references are capable of being used to sense pressure by sensing a change in resistance upon the application of pressure.

Applicant has also added new claims 62-68, which are more specifically directed to the usage of the present invention in the context of obtaining a fingerprint, as well as claims that more explicitly recite the usage of a current in sensing the change in resistance. It is respectfully submitted that these claims also contain allowable subject matter.

In view of the above, applicants submit that the above-referenced application is in a condition for allowance and such a Notice is respectfully requested.

Respectfully submitted,

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APPENDIX WITH MARKINGS SHOWING CHANGES MADE

46. (Amended) A method according to claim 45 wherein the [method] step of sensing senses pressure applied during the obtaining of a fingerprint and further includes the step of using the resistance sensed by each sensor to determine the fingerprint.

47. (Amended) An apparatus for sensing pressure comprising:
a substrate;
a sensor formed on the substrate that is adapted to sense pressure applied thereto, the sensor including:
a support structure that is smaller than the substrate, thereby providing a cavity above a portion of the substrate; and
a magnetoresistive sensor formed over the support structure.